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C O N F I D E N T I A L SECTION 01 OF 02 KATHMANDU 001961

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TAGS: [PGOV](#) [PTER](#) [KDEM](#) [NP](#)

SUBJECT: NEPAL: MAOISTS WIN PARLIAMENTARY VICTORY BUT
POLITICAL DEADLOCK CONTINUES

REF: A. KATHMANDU 1868
[1](#)B. KATHMANDU 1901

Classified By: Charge d'Affaires Randy W. Berry. Reasons 1.4 (b/d)

Summary

[1](#)1. (C) A temporary parliamentary alliance with the center-left Communist Party of Nepal - United Marxist Leninist (UML), gave the Maoists the votes on November 4 to pass their resolution calling for a fully proportional election system. In return the Maoists backed UML's resolution directing the Government of Nepal to take steps to make Nepal a federal democratic republic. The Nepali Congress opposed both resolutions. The two measures, which the special session of the Interim Parliament adopted by simple majority, have no binding effect. Enactment would require constitutional amendments and a two-thirds majority. With the Hindu holiday of Tihar now under way, the political deadlock continues over rescheduling the Constituent Assembly election and the way forward.

Maoists Win Parliamentary Victory

[1](#)2. (U) Late on November 4, the special session of the Interim Parliament approved two proposals by simple majority in voice votes. The center-left Communist Party of Nepal - United Marxist Leninist (UML) lent its support to the Maoist proposal calling for Nepal to adopt a fully proportional system for the Constituent Assembly election. In return, the Maoists dropped their own proposal to declare Nepal a republic immediately in favor of the UML resolution directing the Government of Nepal (GON) to take the necessary steps to declare the country a "federal democratic republic." The UML proposal also highlighted the need to fix another CA election date. The Nepali Congress voted against both resolutions. The minor parties were divided -- with some, but not all, of the Members of Parliament (MPs) from the small leftist parties voting with the UML and the Maoists. The formerly monarchist National Democratic Party (RPP) lined up behind the Maoist proposal for a fully proportional election system. The Terai-based Nepal Sadbhavana Party abstained in both votes.

However Resolutions Are Not Binding

¶13. (SBU) According to Manohar Bhattarai, Special Secretary of the Parliament Secretariat, the two resolutions are hortatory and not binding on the GON. He and several MPs have noted to us that it would require a constitutional amendment to change the current mixed (first-past-the-post and proportional) electoral system into a fully proportional system. The same is true with respect to a republic. The Interim Constitution currently provides that the status of the monarchy is to be decided at the CA's first session. The only way at present to abolish the monarchy prior to that meeting is by two-thirds vote "if the king is found posing obstacles against the (CA) election." According to parliamentary regulation, it is the GON which has the authority to introduce constitutional amendments. More importantly, the Interim Constitution provides that such amendments require a two-thirds majority of those present and voting.

Congress Outmaneuvered

¶14. (C) According to Embassy sources, a last-minute deal the afternoon of November 4 between the Maoist leadership and UML General Secretary M.K. Nepal paved the way for the Maoist victory. The deal came as a surprise to Nepali Congress (NC) leaders, who had been assured by their UML counterparts that the UML would join the NC in opposing the Maoist proposals. Prime Minister Koirala had agreed at the urging of Maoist chief Pushpa Dahal (aka Prachanda) to postpone the special

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session to Nov. 4 when it appeared two days earlier that the three major parties would each vote separately in blocks -- with the Maoists supporting their proposals, the UML MPs supporting the UML proposals and the NC voting against both sets. Leading politicians had indicated publicly only a few days previously that they hoped a consensus could be reached and that unity among the Six-Party Alliance and the Maoists would be preserved.

A Rocky Week

¶15. (C) Since the Nov. 4 votes -- and the conclusion of the special session -- the Maoists have claimed victory and cited the parliamentary decisions as a sign of an emerging left alliance. They have also stressed the NC's obligation to implement the "will of the majority" when the Interim Parliament's regular session resumes November 19. Meanwhile, a large group of UML MPs have attempted to downplay the significance of the votes and publicly disavowed their intention to compel the NC to act. Several MPs, including former Deputy Prime Minister Oli (UML), told post that the UML had allowed itself to be trapped by the Maoists. He predicted that the Maoists would use the NC's failure to have Nepal declared a republic and to adopt a proportional system as excuses to avoid setting a new election date. Several politicians indicated that the entire governing consensus was now in danger of breaking down.

Comment

¶16. (C) With Nepal's Hindu holiday of Tihar now under way, we should have a respite from politicking for at least a few days. And despite the alarmist views of some Embassy contacts, we doubt that a political crisis is imminent. The governing consensus -- at least with respect to the Maoists -- has been broken for some time with little seeming consequence: witness the pending resignations of the Maoist ministers. Prime Minister Koirala, for his part, put a brave front on the November 4 votes, saying that he was pleased to see the Maoists working through the parliamentary process.

Talk of replacing him as Prime Minister appears to have died down as well. What cannot be denied, however, is that the political debate has remained trapped in a stale discussion of a republic and a fully proportional election system since the Maoists issued their 22-point demands in late August. As best we can tell, there has been no effort by the Maoists or others to spell out what that proportional system would look like. Meanwhile, the Election Commission is growing increasingly frustrated at the failure by the parties to set a new election date. A spring election is still technically possible, but a number of knowledgeable Nepalis are beginning to question whether an election is possible at all given the current stalemate.

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